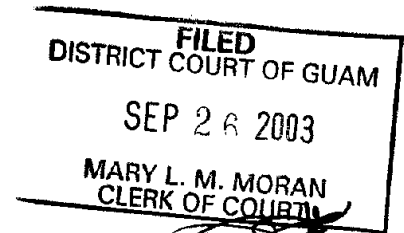


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4 Telephone: (671) 646-9355
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5
6 *Attorneys for Defendants*
Hyatt Regency Guam and Mihir Rout



7
8 IN THE DISTRICT COURT OF GUAM

9 GOLAM R. SARKER,

10 Plaintiff,

11 vs.

12 HYATT REGENCY GUAM, MIHIR ROUT, and
13 DOE OFFICERS 1 through 10,

14 Defendants.

CIVIL CASE NO. 02-00023

DECLARATION OF
MICHAEL A. PANGELINAN

15 I, **MICHAEL A. PANGELINAN**, hereby declares as follows:

16 1. I am an attorney licensed to practice before the Courts of Guam, a partner with
17 the law firm of Calvo and Clark, LLP, and counsel of record for Defendants Hyatt Regency Guam and
18 Mihir Rout in this action.

19 2. On December 19, 2002, I caused to be served upon Plaintiff's Counsel in this
20 matter initial disclosures pursuant to Rule 26(a)(1) of the Federal Rule of Civil Procedure, and pursuant
21 to the December 17, 2002 Scheduling Order and Discovery Plan. To my knowledge, no initial
22 disclosures were ever served upon my office by the Plaintiff in this matter.

23 3. Attached hereto as **Exhibit "A"** is a true and correct copy of a letter from me
24 to Attorney Curtis Charles Van de veld dated June 20, 2003.

25 4. Attached hereto as **Exhibit "B"** is a true and correct copy of a letter from me

26 //

27 //

28 //

1 dated August 14, 2003 to Attorney Curtis Charles Van de veld.

2 I declare under penalty of perjury pursuant to the laws of the United States that the
3 foregoing is true and correct.

4 EXECUTED on this 26th day of September, 2003.

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6 
7 MICHAEL A. PANGELINAN
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28

EDUARDO A. CALVO*
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JANALYNN M. CRUZ
DANIEL M. BENJAMIN*
RAYMOND L. SOUZA, JR.**

June 20, 2003

VIA FACSIMILE 472-2886
AND U.S. POSTAL SERVICE

Curtis Charles Van de veld, Esq.
THE VANDEVELD LAW OFFICES, P.C.
Suite 215, 194 Hernan Cortes Avenue
Hagatna, Guam 96910

**RE: GOLAM R. SARKER VS. HYATT REGENCY GUAM, MIHIR
ROUT, AND DOE OFFICERS 1 THROUGH 10; DISTRICT
COURT OF GUAM CIVIL CASE NO. CV02-00023**


Dear Curtis:

I would like to take the deposition of your client in this matter sometime between June 30 and July 11, 2003. Please let me know a day and time during those two weeks when your client will be available for the deposition.

Thank you for your consideration. I look forward to hearing from you.

Very sincerely,

CALVO AND CLARK, LLP



Michael A. Pangelinan

MAP:nbd:tlr
T030620.55-0004.Curtis-Ltr.wpd

EXHIBIT "A"

SAIPAN OFFICE: PMB 951 Box 10001, SAIPAN MP 96950
TELEPHONE: (670) 323-2045 • FACSIMILE: (670) 323-2776 • E-MAIL: caclawspn@calvoandclark.com

* NOT LICENSED IN CNMI — • LICENSED IN CALIFORNIA ONLY — ** LICENSED IN MINNESOTA ONLY

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JANALYNN M. CRUZ
DANIEL M. BENJAMIN•
RAYMOND L. SOUZA, JR.♦♦

August 14, 2003

VIA HAND DELIVERY

Curtis Charles Van de veld, Esq.
THE VANDEVELD LAW OFFICES, P.C.
Suite 215, 194 Hernan Cortes Avenue
Hagatna, Guam 96910

**RE: GOLAM R. SARKER VS. HYATT REGENCY GUAM, MIHIR
ROUT, AND DOE OFFICERS 1 THROUGH 10; DISTRICT
COURT OF GUAM CIVIL CASE NO. CV02-00023**

Dear Curtis:

For the past few months, I have been attempting to schedule a deposition of your client, Mr. Sarker. At your request, and because you were unavailable for the deposition in July, I agreed to wait until August to schedule Mr. Sarker's deposition, and to enlarge the discovery cut-off date to August 25, 2003. Last Friday, you suggested that we meet on Thursday, August 14, 2003 (today) to discuss further enlargement of the discovery and motion deadlines. You indicated that I should contact your office to confirm the time and place of today's meeting.

Since last Friday, we have placed a number of phone calls to your office to confirm today's meeting. I also requested confirmation of the meeting in my last letter to you of August 11, 2003. As I have still not heard back from you, I have prepared the enclosed stipulation and order to move back the discovery and motion deadlines so that we will have ample time to conduct depositions and any follow-up discovery and have motions heard by the Court prior to trial.

As I discussed with you last Friday, I am concerned that the Court may not appreciate receiving a request for enlargement of deadlines, either by stipulation or by motion, after the discovery deadlines have already passed. I am therefore, requesting that you sign and return the attached stipulation to our office today so that the stipulation may be filed tomorrow.

THE VANDEVELD LAW OFFICES, P.C.

Received by: the
Date: 8/14/03 Time: 2:45 pm

EXHIBIT "B"

SAIPAN OFFICE: PMB 951 BOX 10001, SAIPAN MP 96950
TELEPHONE: (670) 323-2045 • FACSIMILE: (670) 323-2776 • E-MAIL: caclawspn@calvoandclark.com

* NOT LICENSED IN CNMI — • LICENSED IN CALIFORNIA ONLY — ♦♦ LICENSED IN MINNESOTA ONLY

Curtis Charles Van de veld, Esq.
August 14, 2003
Page 2

I appreciate your cooperation and prompt attention to this matter. Please feel free to contact me with any questions or comments.

Very sincerely,

CALVO AND CLARK, LLP

A handwritten signature in black ink, appearing to read "Michael A. Pangelinan", with a stylized, cursive script.

Michael A. Pangelinan

Enclosure

MAP:nbd
N030814.55-0004.Van de veld-Ltr.wpd

1 Michael A. Pangelinan, Esq.
Janalynn M. Cruz, Esq.
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8 IN THE DISTRICT COURT OF GUAM

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11 vs.

12 HYATTREGENCY GUAM, MIHIR ROUT, and
13 DOE OFFICERS 1 through 10,

14 Defendants.

CIVIL CASE NO. 02-00023

STIPULATION AND ORDER TO
ENLARGE TIME FOR MOTIONS AND
DISCOVERY


15 COME NOW, Defendants Hyatt Regency Guam and Mihir Rout, through their counsel
16 of record, Calvo and Clark, LLP, by Michael A. Pangelinan, Esq., and Plaintiff Golam R. Sarker,
17 through his counsel of record, The Vandeveld Law Offices, P.C., by Curtis C. Van de veld, Esq., and
18 hereby stipulate to enlarge time as to the following pre-trial matters as follows:

- 19 1. Discovery motions may be filed on or before September 19, 2003.
20 2. Discovery shall be completed on or before September 26, 2003.
21 3. Dispositive motions may be filed on or before October 3, 2003.

22 SO STIPULATED:

23 CALVO AND CLARK, LLP
24 Attorneys At Law

THE VANDEVELD LAW OFFICES, P.C.

25 By: 
26 MICHAEL A. PANGELINAN
Attorneys for Defendants

By: _____
CURTIS CHARLES VAN DE VELD
Attorneys for Plaintiff

27 DATED: August 14, 2003.

DATED: August ____, 2003.

ORDER

IT IS HEREBY ORDERED that the time within which to file discovery motions is enlarged to September 19, 2003, the time for completion of discovery is enlarged to September 26, 2003, and the time within which to file dispositive motions is enlarged to October 3, 2003.

SO ORDERED: _____, 2003.

HONORABLE JOHN S. UNPINGCO
Chief Judge, District Court of Guam